

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

Sunny Days Entertainment, LLC,	)	C.A. No. 6:21-01054-HMH
	)	
Plaintiff,	)	<b>OPINION &amp; ORDER</b>
	)	
vs.	)	
	)	
Mujahid Dungersi,	)	
	)	
Defendant.	)	

This matter is before the court on Sunny Days Entertainment, LLC’s (“Sunny Days”) motion for judgment on the pleadings or default judgment pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. Defendant Mujahid Dungersi (“Dungersi”) accepted service of the summons and complaint on May 10, 2021, which required Dungersi to answer or otherwise plead by June 1, 2021. See Fed. R. Civ. P. 12(a)(1)(A). To date, Dungersi has not answered or otherwise pled. Sunny Days requested entry of default on June 9, 2021. (Request Entry Default, ECF No. 8.) The Clerk entered default on June 10, 2021, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure. (Entry of Default, ECF No. 9.)

In the complaint, Sunny Days requests declaratory and injunctive relief. (Compl., generally, ECF No. 1.) Sunny Days requests a declaration that (1) Dungersi’s alleged trademark rights are not infringed under 15 U.S.C. § 1125 by Sunny Days’ use of its “RAVEL TALES” trademark in conjunction with the sale of Ravel Tales branded plush toys; and (2) that Sunny Days’ use of its “RAVEL TALES” trademark does not constitute unfair competition, or otherwise violate any federal, state, or common law. (Id. at 9, ECF No. 1.) Sunny Days also

requests injunctive relief enjoining and restraining Dungersi, as well as others in active concert or participation with Dungersi, from asserting alleged trademark rights against Sunny Days with respect to Sunny Days' use of its "RAVEL TALES" trademark in conjunction with the sale of Ravel Tales branded plush toys. (Id. at 10, ECF No. 1.) Because it appears from the record that Dungersi has failed to timely answer, move, or otherwise plead in response to Sunny Days' complaint after being properly served, the court grants Sunny Days' motion for default judgment.

It is therefore

**ORDERED** that Dungersi's alleged trademark rights are not infringed by Sunny Days' use of its "RAVEL TALES" trademark in conjunction with the sale of Ravel Tales branded plush toys; and (2) that Sunny Days' use of its "RAVEL TALES" trademark does not constitute unfair competition, or otherwise violate any federal, state, or common law. It is further

**ORDERED** that Dungersi, as well as others in active concert or participation with Dungersi, is enjoined and restrained from asserting alleged trademark rights against Sunny Days with respect to Sunny Days' use of its "RAVEL TALES" trademark in conjunction with the sale of Ravel Tales branded plush toys.

**IT IS SO ORDERED.**

s/Henry M. Herlong, Jr.  
Senior United States District Judge

Greenville, South Carolina  
July 29, 2021